

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Timothy M. Richardson
Serial Number :
Filed : July 12, 1999
Title : Microscope Slide System and Method of Use

Group/A.U. :
Examiner:
Attorney Docket No. : 31655-2079

PETITION TO MAKE SPECIAL

Commissioner for Patents
P.O. Box 1450
Alexandria VA
22313-1450

Sir:

Applicant respectfully requests expedited examination of the above-captioned application in accordance with 37 CFR §1.102(d) and M.P.E.P. §708.02(VIII). The accompanying fee specified by §1.17(h) is enclosed.

The claims are believed to be directed to a single invention.

Applicant carried out a keyword based pre-examination search for prior art in class 356. The search query was "(microscope AND slide AND (adhesive or glue) and (channel or moat))". The results of the search are attached to this paper. Applicant is also aware of prior art disclosed during the prosecution of the parent application, serial no. 08/870,242, which issued as US Patent No. 6,052,224.

The references deemed most closely related to the subject matter encompassed by the claims are US 3,736,042 to Markovits et al, US 3,879,106 to McCormick, US 4,387,972 to Valencia, and US 5,349,436 to Fisch. A copy of each of these references is enclosed with the Information Disclosure Statement accompanying this paper.

Claim 1 is directed to a slide system requiring a recess disposed on a planar slide base or planar cover slip which has a sufficient amount of adhesive disposed in the recess for adhering the cover slip to the slide base. This enables a relatively thick adhesive to be used with the slide system without compromising the final closed total thickness of the slide system. See, for example, page 8, line 19 to page 9, line 9 of the specification as published under WO 98/43123 on October 1, 1998.

Markovits et al discloses a slide base which includes a Teflon layer that is formed with a number of openings to define a number of wells or reactant regions. The wells may include a thin layer of an agar solution therein for adhering specimen to the slide base. The Teflon layer has an adhesive characteristic which is used to adhere a cover slip to the slide base. However, there is no suggestion to place adhesive in the wells in order to bond the cover slip to the slide base.

McCormick discloses a cover slip which has a channel or moat in a cover slip. The channel is used to create an overflow chamber which is intended to hold excess amount of sample. There is no suggestion to place adhesive in the channel in order to bond the cover slip to the slide base.

Valencia discloses a thin film mounted on a slide, which is printed thereon via silk screening techniques. The film includes a well in it for holding liquid specimen and a channel surrounding the well which functions as an overflow chamber. There is no suggestion to place adhesive in the channel in order to bond a cover slip to the slide base.

Fisch is similar to Valencia, having a thin film mounted on a slide. The film includes a well in it for holding liquid specimen and a channel surrounding the well which functions as an overflow chamber. There is no suggestion to place adhesive in the channel in order to bond a cover slip to the slide base.

Accordingly, Applicant believes that the pending claims are patentable over the prior art discussed above.

Respectfully submitted,

TIMOTHY RICHARDSON



TORYS LLP
John C. Hunt, Registration No. 36,424
Torys LLP – Customer No. 33,721